

HOUSE BILL 818

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Al Park

AN ACT

RELATING TO LIQUOR RETAILERS; REQUIRING THAT A LIQUOR RETAILER
CARRY A MINIMUM OF ONE MILLION DOLLARS (\$1,000,000) IN
LIABILITY INSURANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 60-6A-2 NMSA 1978 (being Laws 1981,
Chapter 39, Section 19) is amended to read:

"60-6A-2. RETAILER'S LICENSE.--

A. In any local option district, a person qualified
under the provisions of the Liquor Control Act may apply for
and be issued a retailer's license for the retail sale of
alcoholic beverages.

B. A retailer's license, when issued, shall only be
used by the person to whom the license is issued and shall only
be used within the licensed premises, pursuant to provisions of

.175559.1

underscored material = new
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underscored material = new
[bracketed material] = delete

1 the Liquor Control Act.

2 C. A retailer's license shall not be issued or
3 renewed unless the person applying for or renewing the
4 retailer's license shows evidence that the person carries a
5 minimum of one million dollars (\$1,000,000) in liability
6 insurance.

7 D. Upon a showing by its records or other
8 sufficient evidence that the person does not carry the required
9 minimum of one million dollars (\$1,000,000) in liability
10 insurance, the regulation and licensing department shall
11 suspend the person's retailer's license.

12 E. For the purposes of this section, "liability
13 insurance" means insurance against legal liability for the
14 death, injury or disability of any human being, or for damage
15 to property; and provision of medical, hospital, surgical or
16 disability benefits to injured persons and funeral and death
17 benefits to dependents, beneficiaries of or personal
18 representatives of persons killed, irrespective of legal
19 liability of the insured, when issued as an incidental coverage
20 with or supplemental to liability insurance. "Liability
21 insurance" does not include insurance of vehicles as defined as
22 "vehicle" insurance pursuant to Chapter 59A, Article 7 NMSA
23 1978."